

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

CRIMINAL NO. 16-20732

vs.

HON. ROBERT H. CLELAND

D-3 CHRISTOPHER CRAIGMILES,

Defendant.

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**SENTENCING MEMORANDUM OF THE UNITED STATES
AS TO DEFENDANT CHRISTOPHER CRAIGMILES**

The United States of America submits the following memorandum concerning the sentencing of defendant Christopher Craigmiles.

I. INTRODUCTION

Defendant Craigmiles' crime was a serious betrayal of the trust of the residents of New Haven, Michigan. The crime stemmed from greed and an unwillingness to place the best interests of the people he represented ahead of his own. Despite the seriousness of his crime, Mr. Craigmiles readily accepted responsibility for his conduct. In addition, after being charged in a criminal complaint, Mr. Craigmiles quickly sought to resolve the charges against him and plead guilty. The government believes that he has shown remorse and true acceptance of responsibility. Under these circumstances, the government believes

that a sentence at the low end of the guideline range would be a fair and just sentence for Mr. Craigmiles.

II. ARGUMENT

A. The Nature, Circumstances, and Seriousness of Craigmiles' Crime, Just Punishment (18 U.S.C. § 3553(a)(1)-(2))

The defendant was a former police officer, who was a newly elected Trustee of the Village of New Haven, Michigan. Mr. Craigmiles readily accepted a \$5,000 cash bribe in exchange for his willingness to support a future garbage-hauling contract for Rizzo Environmental Services for New Haven. The future contract would have involved a significant amount of money. Given his position, the defendant's acceptance of \$5,000 in cash from an undercover FBI agent posing as a garbage-company executive was a serious crime. It was made worse by his prior service as a police officer, his status as an elected official, and his conspiracy with fellow New Haven Trustee, Brett Harris. Although New Haven may be a smaller town, its residents are entitled to elected officials free of corruption. Mr. Craigmiles' crime undermines the public's confidence in their elected officials and government.

B. Deterring the Criminal Conduct of Others (18 U.S.C. § 3553(a)(2)(B))

The Court should impose a prison sentence on Mr. Craigmiles in order to serve the important purpose of deterring future public officials in this district and beyond from engaging in similar misconduct. *See* 18 U.S.C. § 3553(a)(2)(B). General

deterrence has its greatest impact in white-collar cases, like this one, because these crimes are committed in a more rational and calculated manner than sudden crimes of passion or opportunity. *United States v. Peppel*, 707 F.3d 627, 637 (6th Cir. 2013) (quoting *United States v. Martin*, 455 F.3d 1227, 1240 (11th Cir. 2006)). As a federal judge in Chicago stated:

We need not resign ourselves to the fact that corruption exists in government. Unlike some criminal justice issues, the crime of public corruption can be deterred by significant penalties that hold all offenders properly accountable. The only way to protect the public from the ongoing problem of public corruption and to promote respect for the rule of law is to impose strict penalties on all defendants who engage in such conduct, many of whom have specialized legal training or experiences. Public corruption demoralizes and unfairly stigmatizes the dedicated work of honest public servants. It undermines the essential confidence in our democracy and must be deterred if our country and district is ever to achieve the point where the rule of law applies to all --- not only to the average citizen, but to all elected and appointed officials.

United States v. Spano, 411 F.Supp.2d 923, 940 (N.D. Ill. 2006). The sentence in this case needs to deter other elected officials from engaging in similar crimes.

**C. Protecting the Public from Further Crimes by Craigmiles
(18 U.S.C. § 3553(a)(2)(C))**

Mr. Craigmiles has shown remorse, acceptance of responsibility, and a serious recognition of the fact that his actions were criminal. Mr. Craigmiles' conduct in this regard, as well as his removal from office, make it unlikely that he will be in a position of trust to commit additional crimes in the future.

D. The Defendant's Requests for a Departure and a Variance

In his sentencing memorandum, Mr. Craigmiles seeks a downward departure based on his wife's medical condition. Although unfortunate, Mr. Craigmiles' situation is not unusual for criminal defendants. The fact that a close family member may have to undergo surgery while a defendant is imprisoned is a commonplace issue that is in no way outside the heartland of the factors taken into consideration by the sentencing guidelines. In addition, there is no indication that other family members will not be able to step in temporarily to care for the defendant's teenage children should the defendant's wife have to undergo a medical procedure. As a result, there is no need for a downward departure under these circumstances.

The defendant also requests a downward variance because he was a newly elected trustee of New Haven when he accepted a \$5,000 cash bribe. If anything, by virtue of the fact that he was newly elected and a former police officer, it is indeed surprising and disappointing that he so readily accepted a cash bribe. The sentencing guidelines impose a four-level upward adjustment if a bribe involves an elected public official or an official in a sensitive position, like a police officer. The defendant's relatively short time as a politician does not provide any justification for varying from the guidelines. The defendant's prior seven years of service as a police officer demonstrate that the defendant had many years of experience in a sensitive role as a public servant susceptible to bribery. The four-level adjustment is an

appropriate measure of the serious nature of the bribery of elected public officials or of public officials involved with high-level decision-making. No variance is needed or justified.

III. CONCLUSION

Trustee Craigmiles took \$5,000 in cash in order to sell his vote as an elected official. A prison sentence within the applicable guideline range will vindicate the rule of law, punish him appropriately, and deter other politicians from taking bribes.

Respectfully submitted,

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DATED: June 1, 2017

CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2017, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

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